



Information Brief

Alternative Educational Settings

By law, 26 states require that school districts make alternative education opportunities available to suspended or expelled students. Iowa is among them. In addition, the 1997 Individuals with Disabilities Education Act (IDEA) contains requirements for students with disabilities who carry a weapon to school or to a school function, or who knowingly possess, use, sell or solicit the sale of a controlled substance while at school or at a school function. Such requirements challenge local school districts to provide alternatives for students to continue their education when suspended or expelled under provisions of state and federal statutes.

CRITICAL ELEMENTS ADDRESSED:

- A community-based comprehensive system of integrated services is linked with schools in the district.
- The school, in collaboration with the community, provides a full and accessible array of specialized programs and services to address the needs of students experiencing social, emotional and/or behavioral problems.

“Instead of locking youth up, we need to unlock their potential. We need to bring them back to their community and provide the guidance and support they need.”

- Mayor Daley - City of Chicago

INTRODUCTION

America's schools are experiencing higher numbers of violent incidents now than ever before. In fact, 82 percent of school districts surveyed by the National School Boards Association (NSBA) reported increasing violence within their schools during the past five years (*Creating Safe and Drug-Free Schools: An Action Guide*, September 1996).

Policies put in place locally to meet requirements of federal and state statutes have led school districts to expel or suspend students for violations. Iowa code (§280.17B) additionally requires schools to prescribe procedures for continued school involvement of suspended or expelled students for possession of a dangerous weapon and for their reintegration into the school.

Alternative education programs can provide not only a safe place for these students to meet each day, but also services that are necessary to bring students back to the traditional school setting or enter the work force. Without these services, research has shown a link between expulsion/suspension and later dropping out of school, with resulting personal and social costs (*Creating Safe and Drug-Free Schools: An Action Guide*, September 1996). It is in society's interest to ensure that all are educated to the equivalent of a high school education at the mastery level.

WHAT ARE ALTERNATIVE EDUCATIONAL SETTINGS?

There are at least four different alternative educational settings - two long-term arrangements and two short-term placements. Perhaps the most common are alternative schools, referring to a broad array of programs that include magnet schools, charter schools, school-within-a-school, schools established to address the needs of at-risk youth, or private schools for chronically disruptive youth. Another type of alternative setting is for students with disabilities when the Individualized Education Plan (IEP) dictates that services can best be delivered in a setting other than a regular school, such as a day treatment or residential facility.

The third and fourth types of alternative settings are associated with suspension or expulsion of students for disciplinary reasons. The third type may be either short or long term and relates to suspension and expulsion covered under state and federal weapons and substance abuse laws. The fourth type of alternative setting is in the discipline provisions of IDEA 1997 and is short term. This brief focuses on the latter two types of alternative settings.

ACCOMMODATING EXPELLED OR SUSPENDED STUDENTS

National trends show significant increases in the number of students expelled each year and the length of time they are excluded from their schools. At the same time, nearly three million crimes take place in or near schools annually — or one every six seconds of the school day. The consensus among educators and others concerned with youth is that it is important for expelled students to receive educational services including counseling to help modify their behavior while they are away from their regular school (*Creating Safe and Drug-Free Schools: An Action Guide*, September 1996). The increase in the number of students excluded

from school, the passage of laws that require continuation of their education, and realization of the cost to students and communities when students don't complete their education and are sent to the streets without supervision have created a need for interim alternative education settings.

Developing the Alternative Education Program

Once suspended or expelled, students enter a program that differs from the traditional school environment in many ways. Students may continue their academic path with plans to return to the classroom or remain in the program through graduation. Some school systems modify existing programs to accommodate the needs of students expelled for misconduct while others create new programs, often in collaboration with social agencies or nonprofit organizations. The focus of the time spent in the alternative educational setting may be behavior management, counseling, and behavioral skills training, as well as academics.

Typically, these programs also differ in the ratio of students to teachers, the manner of presentation of academic subject matter, the setting, the link between school and community or workplaces, the emphasis on behavior management, and the availability of comprehensive support services. Several elements combine to comprise an effective and successful alternative education program (J. Kellmayer, March 1998):

- Small class sizes with low student-to-teacher ratios, comprised of students with and without disabilities
- Appropriate facilities to meet the needs of the student population, welcoming physical environment with the possibility of good peer models and strong relationships (such as a college campus)
- Voluntary participation of students and staff
- Student-centered curriculum and instruction involving the student in educational planning and decision making
- Ongoing communication between sending and receiving schools, with authority for local administration
- Flexibility in the role of the teacher with a competent staff trained in discipline
- Positive behavior supports and effective access to social services and counseling
- Parent involvement
- Appropriate technology to support the learning environment

LEARN MORE ABOUT IT:

- **Web sites:**
 - Alternative Education Projects for Expelled Students: <http://www.ed.gov/offices/OESE/SDFS/actguid/altersch.html>
 - ERIC: <http://eric-web.tc.columbia.edu/abstracts/ed412301.html>
 - Alt-7: <http://www.ed.mtu.edu/safe/alt-7.htm>
- **In this Handbook:** See “*Success4* Critical Elements,” and other articles in this section on *Positive Behavioral Supports, Wrap Around, Zero Tolerance, and Intensive Interventions*.

OPTIONS FOR STUDENTS WITH DISABILITIES

“Interim alternative educational settings” has particular meaning within the discipline provisions contained in the re-authorized Individuals with Disabilities Act (IDEA 97). These provisions permit local school officials unilaterally to remove students to an interim alternative setting for a period not to exceed 45 days for a) carrying a weapon to school or to a school function and b) for knowingly possessing or using illegal drugs or selling or soliciting the sale of a controlled substance while at school or at a school function (IDEA 97, 34 CFR, §§300.520 & 521). In addition, if school officials believe students would pose a danger to themselves or others upon return to school, they may seek an order from an Administrative Law Judge (ALJ) for a change in placement in the form of an interim alternative educational setting. Extensions of duration for this placement may also be sought from the judge.

In order to meet the requirements for providing students with disabilities a free and appropriate education (FAPE), IDEA 97 sets out requirements for the selection of an interim alternative setting: The setting must:

- 1) be determined by an IEP team;
- 2) be selected so as to enable the student to continue to progress in the general curriculum, although in another setting;
- 3) permit the student to continue to receive those services and modifications that will enable the student to meet the goals set out in the IEP; and
- 4) include services and modifications designed to address and prevent recurrence of the behavior that precipitated the disciplinary action.

SUMMARY

Maintaining safe school environments may require that students who disrupt the workings of the school day with violent behavior be removed to an alternative educational setting where they can receive educational and other services until they are able to return to their regular school program. In order to serve all students and to ensure the safety of the school and community, appropriate alternative educational settings need to be available. Out of sight should not mean out of mind. With the cooperation of all involved, troubled students can re-enter the regular school setting, graduate, move on to post-high school education or enter the workforce and make a positive contribution to the community.